

01-18-02

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UNITED STATES CONTINUING UTILITY PATENT APPLICATION

under 37 C.F.R. § 1.53(b)

EV066773297US

Atty. Docket No. 04163-00138

Page 1



CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10: The undersigned hereby certifies that this United States Patent Application and all papers noted herein as being attached, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 today, **January 16, 2002**, and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

By

Express Mail Label No.: EV 066773297 US



Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Enclosed herewith is a continuing patent application and the following papers:

Inventor (or application identifier): **R. Eric Montgomery**

Title of Invention: **METHODS OF WHITENING TEETH**

- ☒ Continuation
- ☐ Divisional
- ☐ Continuation-in-Part

of prior application No. 10/000,658, filed October 31, 2001.

1. ☒ Specification 18 pages (including specification, claims, abstract) / 36 claims (8 independent), after entry of the Preliminary Amendment.
2. ☒ Declaration/Power of Attorney:
 - ☒ Copy from Prior Application (for continuation or divisional application)
 - ☐ Newly Executed Declaration (for CIP application)
 - ☐ Deferred under 37 C.F.R. § 1.53(f)
 - ☐ Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b)
 - ☒ Incorporation by Reference - The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein
3. ☒ This application has no drawings.
4. ☒ Preliminary Amendment is enclosed.
 - ☒ Amend the specification on page one, at paragraph one, line 7, after the subtitle "Related U.S. Application(s)" by deleting the first paragraph and replacing it with the following paragraph: --This application is a continuation of United States Application Serial No. 10/000,658, filed October 31, 2001; which is a continuation of United States Application Serial No. 09/374,172, filed on August 13, 1999;

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UNITED STATES CONTINUING UTILITY PATENT APPLICATION

under 37 C.F.R. § 1.53(b)

Page 2

Atty. Docket No. 04163-00138

which is a continuation of United States Application Serial No. 09/054,156, filed April 2, 1998; itself a divisional of United States Application Serial No. 08/719,569, filed on September 25, 1996, which issued on July 13, 1999 as U.S. Patent No. 5,922,307; and which claims priority from Provisional Application Serial No. 60/004,258, filed September 25, 1995; all of which are hereby incorporated herein by reference.--

5. ☒ Information Disclosure Statement
- ☒ A copy of the Information Disclosure Statement from prior application USSN 09/374,172
 - ☒ A copy of form 1449 from prior application
6. ☒ Assignment
- ☐ Assignment with Cover Sheet attached
 - ☒ Assignment filed in prior application U.S.S.N. 08/719,569 filed September 25, 1996, now U.S. Patent No. 5,922,307. Application assigned to: **R. Eric Montgomery and Idex Dental Sciences, Inc.**, both of Monterey, MA.
7. ☒ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s) (provisional and foreign applications):

Country	Application Number	Date of Filing (day, month, year)
U.S.	60/004,258	September 25, 1995

8. ☒ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
U.S.	10/000,658	31 October 2001
U.S.	09/374,172	13 August 1999
U.S.	09/054,156	2 April 1998
U.S.	08/719,569	25 September 1996

9. ☐ Priority document(s)
10. ☐ Small Entity Statement
- ☐ Small Entity Statement was filed in prior application, Small Entity Status is still proper and desired
 - ☐ Small Entity status is being claimed hereby.
 - ☐ is no longer claimed
11. ☐ Nucleotide and/or Amino Acid Sequence Submission
- ☐ Computer Readable Copy
 - ☐ Paper Copy (identical to computer copy)
 - ☐ Statement verifying identity of above copies

UNITED STATES CONTINUING UTILITY PATENT APPLICATION
under 37 C.F.R. § 1.53(b)

Page 3

Atty. Docket No. 04163-00138

12. Calculation of Fees:

FEES FOR	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))			\$740.00
Total Claims in Excess of 20 (37 C.F.R. § 1.16(c))	16	18.00	\$288.00
Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b))	5	84.00	\$420.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	0	280.00	\$0.00
Subtotal - Filing Fee Due			\$1,448.00
	MULTIPLY BY		
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	0.50		\$0.00
TOTAL FILING FEE DUE			\$1,448.00
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0	40.00	\$0.00
GRAND TOTAL DUE			\$1,448.00

13. PAYMENT is:

- ☒ The Commissioner is authorized to debit the instant filing fee, in the amount of \$1,448.00, and any other fees during the pendency of this application under 37 C.F.R. §§ 1.16, 1.17 and 1.18, to Deposit Account No. 19-0733. A duplicate copy of this letter is enclosed.
- ☐ not included, but deferred under 37 C.F.R. § 1.53(f)

14. All correspondence for the attached application should be directed to:

John P. Iwanicki
BANNER & WITCOFF, LTD.
28 State Street, 28th Floor
Boston, MA 02109
Telephone: (617) 227-7111
Facsimile: (617) 227-4399

15. Other: Application Data Sheet, copy of provisional application serial no. 60/004,258, and return postcard.

Date: January 16, 2002

By: _____

John P. Iwanicki
Reg. No. 34,628

JPI/lh
Enclosures